

Notice of Allowability

Application No.

09/523,065

Examiner

Dwin M Craig

Applicant(s)

GALARZA ET AL.

Art Unit

2123

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/15/2004.
2. ☒ The allowed claim(s) is/are 1-10, 13-21, 24-42, 45-63, 66-98, 100-110, 119 and 122-127.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 5.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


KEVIN J. TESKA
SUPERVISORY
PATENT EXAMINER

DETAILED ACTION

And

NOTICE OF ALLOWANCE

1. Claims 1-10, 13-21, 24-42, 45-63, 66-98, 100-110, 119 and 122-127 are **Allowed**.

2. Claims 11, 12, 22, 23, 43, 44, 64, 65, 88, 11-118, 120, 121 and 128-137 have been **cancelled**.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: Independent Claims 1, 4, 13, 14, 18, 19, 20, 24, 25, 31, 32, 34, 35, 39, 40, 41, 45, 46, 52, 53, 55, 56, 61, 62, 66, 67, 68, 69, 70, 71, 76, 86, 88, 92, 93, 94, 100, 101, 103, 106, 107, 119, 123 and 127 have, for example, the following limitations in combination with other limitations, "*A method for Automated System Identification selecting a model structure*", in combination with a "*point model*" and in further combined with, "*guarantee a linear operation regime for said point model*" which is a non-obvious improvement over the prior art. Further, many of the other limitations disclosed in the independent claims, as amended by the Applicant, have provided a non-obvious improvement over the prior art.

3.1 Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. Amish Mehta, Howard Kaufman, R. Ravi, "Turbine System Identification: Experimental Results", IEEE 1994.
2. Arnold Buss, "System Identification Using Frequency Domain Methodology", Proceedings of the 1990 Winter Simulation Conference.
3. U.S. Patent 6,047,221
4. U.S. Patent 5,993,345
5. U.S. Patent 5,629,845

4.1 Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dwin M Craig whose telephone number is (571) 272-3710. The examiner can normally be reached on 10:00 - 6:00 M-F. Dwin Craig can also be contacted at the following E-Mail address: craig.dwin@uspto.gov

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kevin Teska can be reached on (571)272-3716.

Art Unit: 2123

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DMC



KEVIN J. TESKA
SUPERVISORY
PATENT EXAMINER